

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IANN CHRISTOPHER SIMMONS, -vs- COMMISSIONER OF SOCIAL SECURITY,	Plaintiff, Defendant.	CASE NO. 1:13-cv-00203 <u>ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION AND AFFIRMING THE COMMISSIONER'S DECISION</u>
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UNITED STATES DISTRICT JUDGE LESLEY WELLS

Plaintiff Iann Christopher Simmons seeks judicial review of the Commissioner of Social Security's final decision denying his claim for Disability Insurance Benefits and Supplemental Security Income. This matter was automatically referred to United States Magistrate Judge James R. Knepp, II pursuant to Local Civil Rule 72.2. In a Report and Recommendation dated 27 January 2014, Magistrate Judge Knepp concluded that the plaintiff's challenge to the Commissioner's decision is without merit, and he recommended that the Commissioner's decision be affirmed. The parties were advised that objections to the R&R were to be filed within fourteen days after having been served with a copy of it, and that a failure to object would result in waiver of the right to appeal.

In this instance, no timely objections have been filed. Pursuant to 28 U.S.C. § 636(b)(1), this Court makes a de novo determination of those portions of the R&R to which a timely objection is made. “When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee’s note. Therefore, having reviewed the Magistrate Judge’s R&R and found it to be without error, the Court accepts the recommendation and affirms the Commissioner’s decision.

IT IS SO ORDERED.

/s/ Lesley Wells
UNITED STATES DISTRICT JUDGE

Date: 14 February 2014